

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ORDER

Before the court is Plaintiff’s Motion for Judgment on the Pleadings (“Motion”) (Doc. 21), filed December 9, 2017. On April 23, 2018, United States Magistrate Judge Renee Harris Toliver entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending the court grant the Government’s Motion. On March 8, 2012, pursuant to a guilty plea for conspiracy to commit bank fraud in *United States v. Stallons*, No. 3:10-CR-352-M (N.D. Tex. 2012), the court sentenced Defendant Janice L. Stallons (“Janice Stallons”) to a 36-month term of imprisonment and ordered her to pay restitution in the amount of \$8,581,970.30. As of September 2016, Janice Stallons’ unpaid restitution balance is \$7,820,850.35.

The magistrate judge concluded that Defendants admitted the essential allegations in the Government’s Complaint, thereby placing all material facts beyond dispute and establishing the Government’s right to foreclose its lien on the real property located at 8020 Wallace Road, Fort Worth, Texas 76135 (the “Property”), said Property being more accurately described as follows:

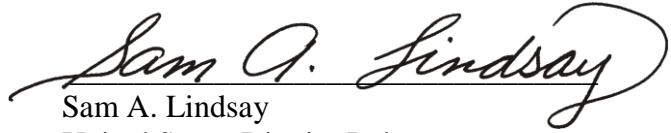
ALL of that certain tract or parcel of land containing .86 acre situated in the J. WILCOX SURVEY NO. 45, ABSTRACT NO. 1703 of Tarrant County, Texas,

and being the same property described as Tract 3-A8, conveyed to J. L. Simmons in Deed recorded in Volume 4216, Page 678 of the Deed Records of Tarrant County, Texas.

Compl. 2. Accordingly, the magistrate judge recommended the court grant the Motion and enter judgment in favor of the Government. No objections were filed to the Report.

Having reviewed the motion, pleadings, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. The court, therefore, **grants** Plaintiff's Motion for Judgment on the Pleadings (Doc. 21), and the United States is entitled to foreclose its lien on the Property and proceed with a foreclosure sale of the Property in accordance with applicable law. The proceeds of the foreclosure sale shall be distributed and paid in the following manner: (1) first, the costs, expenses, and fees incurred in the sale of the Property shall be paid; (2) second, the ad valorem taxes due on the Property to all taxing authorities shall be paid; and (3) third, the remainder of the proceeds shall be paid to the United States District Clerk of the Northern District of Texas as partial satisfaction of the restitution judgment in *United States v. Stallons*, No. 3:10-CR-352-M (N.D. Tex. 2012).

It is so ordered this 31st day of July, 2018.



Sam A. Lindsay
United States District Judge